

OCT. 7 2004 4:53PM

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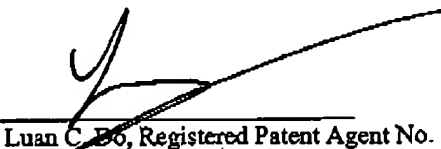
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FAX

To:	Company	Fax #:	Telephone #:
1 Ms. Wynette Stapor)	U.S. Patent & Trademark Office	571-273-1626	
2)			

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From: Luan C. Do	Date: October 7, 2004	No. of Pages: 4 (including this page)	Attorney Docket: 740756-2154
Comments: Application No. 09/580,485) Filing Date: May 30, 2000) Group Art Unit: 2829 Inventors: Shunpei YAMAZAKI et al.) Dear Ms. Stapor: Pursuant to our telephone conversation on October 5, 2004, attached please find a copy of an official communication, mailed January 12, 2004, from the Office of Petitions granting Applicants' Petition to Withdraw from Issue, and a copy of the RCE dated December 31, 2003 that was filed by Applicants concurrently with the Petition. As mentioned in our conversation, the above-referenced application should be withdrawn from issue as shown in the attached communication from the Office of Petitions granting Applicants' Petition. Please let us know if we can provide you with any other documentation that you may need to complete your record. As we are awaiting the PTO to rectify the records in this case so that we can file a preliminary amendment and IDS, please let us know at your earliest convenience once the RCE is entered. With best regards,  Luan C. Do, Registered Patent Agent No. 38,434			

Original of the transmitted document will be sent by:

☐ First Class Mail☐ Overnight Mail☐ Hand Delivery☒ This transmission will be the only form of delivery of this document

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CONFIRMATION: DATE SENT _____ TIME _____ BY _____

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OFFICE OF PETITIONS

ON PETITION

In re Application of
Shunpei Yamazaki et al
Application No. 09/580,485
Filed: May 30, 2000
Attorney Docket No. 0756-2154

This is a decision on the petition, filed December 31, 2003, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on November 12, 2003 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to the undersigned at (703) 305-8859.

After receipt of the file in the Office of Petitions, the application will be forwarded to Technology Center AU 2829 for processing of the request for continued examination under 37 CFR 1.114.

Karen Creasy
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

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¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).

**HANDCARRY TO OFFICE OF PETITIONS - Attn: Karen Creasy
Crystal Plaza 4, Suite 3C23**

Receipt is acknowledged on: December 31, 2003

In re Continued Examination Application of: Shunpei YAMAZAKI et al.

Serial No. 09/580,485 Filed: May 30, 2000

For: METHOD FOR MANUFACTURING AN ELECTRO-OPTICAL DEVICE

Petition to Withdraw From Issue (duplicate)

Request for Continued Prosecution (RCE) Transmittal (duplicate)

Information Disclosure Statement with cited references and PTO-1449

Permission to charge Deposit Account # 19-2380 in the amount of \$900.00

(\$770 RCE Fee; \$130 Petition Fee)

90C
JLC/plp (8683)
740756-2154



December 31, 2003



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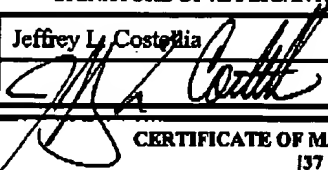
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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).	Application Number	09/580,485
	Filing Date	May 30, 2000
	First Named Inventor	Shunpei YAMAZAKI et al.
	Group Art Unit	2829
	Examiner Name	Asok K. Sarkar
	Attorney Docket Number	740756-2154

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

- Submission required under 37 C.F.R. § 1.114**
 - ☐ Previously submitted
 - ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
 - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ☐ Other _____
 - ☒ Enclosed
 - ☐ Amendment/Reply
 - ☐ Affidavit(s)/Declaration(s)
 - ☒ Information Disclosure Statement (IDS)
 - ☐ Submission of Formal Drawings
 - ☒ Petition to Withdraw from Issue
- Miscellaneous**
 - ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(e) for a period of _____ month(s). (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(d) required)
 - ☐ Other _____
- Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
 - ☒ The Director is hereby authorized to charge the following fees, additional fees which may be required, or credit any overpayments, to Deposit Account No. 19-2380
 - ☒ RCE fee required under 37 C.F.R. § 1.17(e)
 - ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - ☒ Other Petition Fee
 - ☐ Check in the amount of _____ enclosed
 - ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Jeffrey L. Costello	Registration No. (Attorney/Agent)	35,483
Signature		Date	December 31, 2003

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or being facsimile transmitted to the USPTO at _____, on _____.	
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